

March 5, 2024, Council Meeting  
Minutes

The regular meeting of Clarion Borough Council was held on March 5, 2024, in the Clarion Free Library. President Lapinto called the meeting to order at 7:00 p.m. Everyone recited the Pledge of Allegiance. Councilmembers present were Mr. Garbarino, Ms. Logue, Mr. Aaron, Ms. Roberts, Ms. Schmader, and President Lapinto. Mr. Averill was absent. Mayor Fulmer Vinson, Chief Peck, Mr. Colosimo, Solicitor Marshall, Mr. Sharrar, Mr. Preston, and Chief Administrative Officer/Borough Secretary LaVan-Preston were also present.

On a motion by Mr. Aaron with a second by Mr. Garbarino, approving the February 6, 2024, Council Meeting, minutes, was carried with a vote of six yea.

CITIZEN COMMENTS: Agenda Items

Mr. John Pacsai, 518 and 522 Main Street, Infusion Nite Club, stated the Pacsais are back to discuss more than just the sound ordinance and hates to argue about this issue and make it as big as it has gotten. However, the Pacsais are here yet again. To prove that the Police Department and this Borough Council is not necessarily fair and discriminates, Mr. Pacsai commented Infusion, a tax-paying business, gets cited for noise, but a County-owned building, non-taxpaying entity, does not get cited for the bells making noise. That proves there are double side to every standard in this town, which needs to change. The Noise Ordinance needs to include a time, a decibel reading, and a couple of people calling, not just one person that may not like Infusion or whatever, to be cited. With permission, Mr. Pacsai stated BJ Rankin filed a complaint against officers following him every time he leaves the bar. His own mom has been pulled over 3 times and has not drank in 20 years. It seems as though the citizens of Clarion Borough that live somewhere other than Wood Street to Liberty Street are not getting police protection as the officers just circle their establishments all night long. In order to grow, everyone has to understand that other places, such as new businesses on Main Street, may want to do activities outside and/or live music. Mr. Pacsai believes 100% that is what is going to make this town grow. Council has to want to see the town grow as well. If Council doesn't want the Pacsais in town, Mr. Pacsai asked them just to say so and for sale signs will go up and they will move on. When it comes to the college students, Infusion and the Loomis are really the only entertainment around. That is half the reason the students go home on weekends, because there is not a lot to do around Clarion. With the upcoming events the first weekend of the months, outdoor events, and music, the ordinances that were built 25-30 years ago will not allow it to happen. Mr. Pacsai voiced he'd like to see that happen.

President Lapinto asked if Chief Peck wished to respond, which he did not, and asked Ms. Roberts, as Chair of Public Safety, for any comments.

Ms. Roberts stressed the Committee is continuing to talk about the ordinance and collecting information to hopefully come up with a solution to handle noise. Ms. Roberts apologized to Mr. Pacsai for his feelings about the police. However, Clarion Borough has a very small footprint in

which the officers have to travel, which may seem to many that they are going after the patrons. It doesn't take long for the police to circle the Borough at night.

Mr. Pacsai pointed out one vehicle parked in the area of their establishment. If the sound ordinance doesn't apply to the Courthouse, Mr. Pacsai questioned why it should apply to anyone? That noise occurs every night.

President Lapinto certainly does not want the Pacsais to leave and stated Council welcomes them here. The Pacsais have done a lot of good things for the community, which is appreciated and sometimes overlooked. The Public Safety Committee is gathering information to try to resolve this issue. President Lapinto guarantees the Pacsais that the Committee is looking hard for a solution.

Mr. Pacsai promised Council they do not want to start issues or fights but just want to make money. The Pacsais have probably brought more events to this area in the last couple of years than any other business and want to continue to bring things in. However, whenever people are scared from coming into town, that just can't happen.

President Lapinto asked Mr. Pacsai to text, as he has done before, and she will be straightforward with him. A good solution is being sought; however, it is just taking a long time.

Mr. Pacsai understands government always takes long.

Mr. Brian Summerville, 65 Agway Lane, Clarion, pointed out there is a problem with parking at the corner of 6<sup>th</sup> Avenue and Wood Street. Having lived there for 6 years or so, Mr. Summerville feels it's a little unfair that residents of that local area have to pay for parking during the day. Most other people that live in the Borough do not as he/she have driveways or in non-metered spots in their area. Mr. Summerville expanded that more recently the Ace Hardware Store employees are now using that area all day as their parking area. That is cutting down the number of available spaces for the people that do live there. Mr. Summerville hopes there may be a way to alleviate tension and/or animosity and those spaces could be assigned or designated for permits for a parking pass, quarterly, to use there.

President Lapinto reported parking meters were in that area before and nobody parked there. Once the meters were removed, everybody began to park there. The Committee is looking at traffic and parking throughout the Borough that may need to change so it can all be handled at one time. Since that is public parking, anyone can park there.

Mr. Summerville thinks it is kind of unfair that a new business came to town and are now using 3-4 spaces.

Chief Administrative Officer/Borough Secretary LaVan-Preston agreed the Committee is reviewing the entire Traffic Ordinance, but that will not happen overnight. If permit parking only is designated in that area, anyone that purchases a pass could park there. A parking pass does

not guarantee a spot. It is a public parking space, so people can park there for whatever reason. Chief Administrative Officer/Borough Secretary LaVan-Preston asked Mr. Sharrar to explain the parking regulations for landlords in the commercial district.

Mr. Sharrar commented there are no parking requirements in the commercial district. Anywhere outside that district, a landlord has to provide appropriate parking for his/her tenants.

President Lapinto stated Council hasn't been much help to Mr. Summerville.

Mr. Summerville reported there have been underlying issues building up for the past couple of years, and this parking issue just brought it to a head. In 2022, Mr. Summerville phoned the police due to noise and abuse the neighbors were doing to their children and also about an individual sitting outside his apartment with a dog, which was worrisome, and asked something be done. Mr. Summerville was charged with harassment and disorderly conduct and inquired if he had the right to file a grievance about that situation.

President Lapinto recommended Mr. Summerville to call the office to set up an appointment with Chief Peck to discuss this information rather than airing all this at a public meeting.

Solicitor Marshall pointed out Chief Peck will take his information and probably conduct an investigation.

Mr. Summerville understands that and already discussed this with the DA after it happened, who advised him to do a different avenue than what he is being told now.

Solicitor Marshall suggested Mr. Summerville should really contact an attorney to discuss what his legal rights are. As far as making an appointment with Chief Peck, that is something Mr. Summerville could do informally. Just so Mr. Summerville is aware, Solicitor Marshall added that doesn't mean the Chief will be able to address his grievance.

#### ADMINISTRATION

On a motion by Mr. Garbarino with a second by Ms. Roberts, approving the appropriations for the month of March, carried with a vote of six yeas.

For review, President Lapinto stated the Treasurer's Report of Fund Totals and Budget Analysis are in the packet.

President Lapinto stated the second meeting may be held on March 19, 2024, at 7 p.m. in the Assembly Room of the Clarion Free Library, if necessary. At this point, it does not look like it will be needed.

On a motion by Ms. Roberts with a second by Ms. Logue to approve the Local Clarion County special event request for street closure of 6<sup>th</sup> Avenue from Main Street to Merle Road on June 8,

July 6, and August 3, 2024, from 8 a.m. until 3 p.m. for Summer Fun Fest Events, with the insurance coverage to be furnished prior to the event.

President Lapinto asked Ms. Jackie Griebel for any comments?

Ms. Griebel just reported a lot of fun activities are planned and the insurance certificate has been forwarded this evening.

The motion carried with a vote of six yea.

On a motion by Mr. Aaron with a second by Ms. Roberts to approve to pay Overhead Door Company of Franklin Invoice #37433481 (final) in the amount of \$6,873.60 for the Clarion Borough 2023-1 Fire Department Building Overhead Doors Project, contingent upon the receipt of all applicable outstanding certified payrolls.

Ms. Roberts inquired if the door have been fixed and to the Borough's satisfaction?

Mr. Colosimo stated yes.

The motion carried with a vote of six yea.

#### EMERGENCY MEDICAL SERVICES AUTHORITY COMMITTEE

President Lapinto stated a meeting was held last week but not much was accomplished. President Lapinto asked Ms. Griebel, Secretary of the Committee for additional comments.

Since the meeting, Ms. Griebel reported a meeting with the Senator's Office was held Monday to receive help to pursue federal funding and also working with the Work Force Development to pursue funding to set up some training, with assistance from Clay Kennemuth. At the next meeting, there will be a lot of things to work on for a County-wide authority.

Chief Administrative Officer/Borough Secretary LaVan-Preston stated the next meeting is scheduled for March 18, 2024, at 6 p.m. in the Clarion County Administrative Building located on Main Street in the Commissioners' Meeting Room.

#### BLUEPRINT COMMITTEE

Ms. Logue stated the Committee continues to fundraise for other parts of the park. The playground is getting close to completion; the rubber underneath it needs installed yet. An announcement will be made as to when it will be open.

#### DESTINATION CLARION DOWNTOWN

There was none.

#### PUBLIC WORKS/STORM WATER AUTHORITY

Mr. Aaron had nothing to report.

### PUBLIC SAFETY

Ms. Roberts repeated the Committee continues to discuss possible changes to the Noise Ordinance, but nothing is definite at this time.

Ms. Roberts updated everyone that the Committee reached out to the Civil Service Commission to discuss the possible changes to the rules and regulations. The Commission members will meet to discuss and hopefully make the changes so that more applications are received for future police officer positions.

### LIBRARY REPORT

Mayor Fulmer Vinson reported the Board is also working with the Senator's Office and looking for funding for repairs for the Library itself. A lot of work needs to be completed and ways to get it accomplished is being looked into.

### HOUSING AND ZONING

Ms. Schmader had nothing to report.

### RECREATION

On a motion by Ms. Roberts with a second by Mr. Garbarino to approve the commitment of up to \$75,000 plus any identified in-kind contributions to match a DCNR Grant Request (Application ID: 2010917) of \$75,000.

President Lapinto supports this grant, and it's imperative that the work does get done. However, after the meeting, all these figures were tossed out. President Lapinto, as well as Chief Administrative Officer/Borough Secretary LaVan-Preston, had some concerns. So, both as well as Mr. Colosimo did an analysis of all figures to come up with hard numbers so that all members of Council know where the Borough is at financially.

Chief Administrative Officer/Borough Secretary LaVan-Preston informed everyone the Borough has three CD's; one for \$100,000 and two for \$10,000 all with interest. If the Borough does receive this grant, the Committee recommends cashing the \$100,000 CD to use as follow, \$75,000 as the match, \$10,000 to pay Delta for preparing and submitting the grant, \$5,000 for The EADS Group for design and engineering documents to submit with the grant., leaving \$10,000 for project run overs. Chief Administrative Officer/Borough Secretary LaVan-Preston reminded everyone a new pavilion at Paul A. Weaver Community Park was included in the 2024 Budget, which was estimated at \$35,000. The Recreation Fund millage was reduced from .4 to .3. The shortfall for this project was going to come from the Recreation Savings Account, which has a balance about \$42,000. After reviewing all the figures and expenses, Chief Administrative Officer/Borough Secretary LaVan-Preston pointed out the Recreation Fund will probably end the year with about \$40,000-50,000. Once the CD's are used, that money will be gone. Just so all members know, when the CD's were renewed, the interest earned on them was deposited into the Recreation Savings Account.

President Lapinto stressed she wanted everyone to have a clear picture. All three came in a couple thousand dollars of each other.

Ms. Roberts thinks that's fine. This money cannot just sit idle. Other than the park, Toby is the only other facility where this money can be used. A safety concern has to be addressed at Toby. Since there is an opportunity to get a grant to start phases of rehabilitating the Toby Launch area, Ms. Roberts feels this is what should be done.

President Lapinto agreed but wanted a clearer picture of the finances. Council would be foolish not to do this now when the river is drawn down. It will have to be done in phases, because there is no way it can be completely done at one time.

Mr. Garbarino added that Council did receive a letter from Brookfield Power that the drawdown will be April 1<sup>st</sup> through the duration of the recreation season of 2024.

The motion carried with a vote of six yea.

On a motion by Ms. Roberts with a second by Mr. Garbarino, approving Resolution #2024-488, approving the submission of a Pennsylvania Department of Conservation and Natural Resources Community Conservation Partnerships Program (C2P2) Grant Application for the purposes of funding improvements at the Toby Boat Launch Facility and authorizing Carol Lapinto, President of Clarion Borough Council, to execute all necessary documents for the application, was carried with a vote of six yea.

As a sidenote, President Lapinto received an email today from Delta with an invoice for \$2,500, which was forwarded to Chief Administrative Officer/Borough Secretary LaVan-Preston.

#### SECRETARY'S REPORT

Chief Administrative Officer/Borough Secretary LaVan-Preston stated the Borough received the Highway Aid Funds for 2024 in the amount of \$128,850.90 (\$1,320 for turnback and \$127,530.90 for liquid fuels). This is \$864 less than 2023's allocation. Discussion on possible paving project for the year will begin soon.

Chief Administrative Officer/Borough Secretary LaVan-Preston hopes to close the accounting late this week or early next week so that financial reports will be prepared and provided to the financial advisor for the audit.

#### MAYOR'S REPORT

Mayor Fulmer Vinson announced she is hosting an event, Inspire Clarion, on March 14, 2024, at 6:30 p.m. at Michelle's Café. Organizations invited were Destination Clarion Downtown, Alley Cats, Summer Fun Fest, the Borough, the Chamber, and others. Basically, the point is to give every organization a chance to say what their organization focuses on and how everyone can work together. Sometimes, it seems as though there are a lot of groups/people going in a lot of different directions. The members have good skill sets but focus on their own area. Mayor

Fulmer Vinson feels this meeting might get everyone to work together and is open for everyone to attend.

#### OLD BUSINESS

There was none.

#### NEW BUSINESS

There was none.

#### CITIZEN COMMENTS: Non-Agenda Items

Ms. Fran Wetzler, 132 South 7<sup>th</sup> Avenue, questioned what the ordinance about dogs entails? A dog has been running around her neighborhood even coming into her yard. Ms. Wetzler contacted the police department already. Ms. Wetzler has a dog, which is on a leash when it is on a run out back or on walks. Her dog is an American Bulldog and is being treated for cancer. Ms. Wetzler voiced concern that the other dog will eat her dog's feces and get ill or leave its feces that will affect her dog's health. Ms. Wetzler commented another issue is when her husband and she were walking their dog on a leash and two dogs chased them down Wood Street. Neither dog was on a leash. The Wetzlers were concerned for their safety as well as their dog.

Chief Peck asked if Ms. Wetzler called the department for that incident?

Ms. Wetzler confirmed she called the police on the dog coming into their yard, but the Wetzlers were more concerned about getting out of the situation and didn't call on that one.

Chief Peck recommended the next time to contact the department. Chief Peck asked how the dog in her neighborhood running loose turned out?

Ms. Wetzler stated the officer found out who the owner was and was going to go talk to him/her. If their dog does not feel good or feels threatened, the dog will react. Ms. Wetzler doesn't want her dog to get in trouble for attacking another dog that is loose coming into the yard.

Ms. Roberts added this dog runs loose multiple times throughout the neighborhood. and everyone knows who it belongs to. Ms. Roberts will discuss with Chief Peck after the meeting.

Chief Peck thinks there are a couple different issues. The ordinance does require a dog to be on a leash at all times. If dogs are leaving their own property, Chief Peck believes that would be a violation as well but has not read that ordinance lately. Chief Peck will personally address this issue with the owner himself. If the Wetzlers get chased again by other dogs, Chief Peck asked Ms. Wetzler to call so it can be dealt with as well.

#### CORRESPONDENCE

There was none.

On a motion by Mr. Aaron with a second by Ms. Schmader, the meeting was adjourned at 7:33 p.m.

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Linda LaVan-Preston, Chief Administrative Officer/Borough Secretary